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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,441	02/12/2004	Stephen W. Smith	5405-305	4786

20792 7590 08/01/2007
MYERS BIGEL SIBLEY & SAJOVEC
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RALEIGH, NC 27627

EXAMINER

JAWORSKI, FRANCIS J

ART UNIT	PAPER NUMBER
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3768

MAIL DATE	DELIVERY MODE
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08/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/777,441

Applicant(s)

SMITH ET AL.

Examiner

Jaworski Francis J.

Art Unit

3768

All participants (applicant, applicant's representative, PTO personnel):

(1) Jaworski Francis J.

(3) _____

(2) Kelley, Laura M.

(4) _____

Date of Interview: 25 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: all base claims of record.


Identification of prior art discussed: Whittingham US5413556 of record herewith.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


Francis J. Jaworski
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Whittingham was discussed as representative of Class 604/22 instruments having generator and sheath and vibrating member such that vibratory energy is transmitted directly out of the tool tip to the worksite.

- 1) Claim 14 to be allowable with the following changes to be effected by applicants:
in line 6 after " sheath " add -- such that the distal portion of the shaft is fully enclosed by the sheath --;
in lines 8 - 9 after " frequency " add -- using a mechanical vibrational coupling --;
in lines 11 - 12 after "sheath " add -- and to reduce a strain from a weight of a vibrator on the shaft --
- 2) Claims 1, 17 and 26 re-written to include claims 8,24,36 content.
- 3) Claim 13 to be written in independent form..